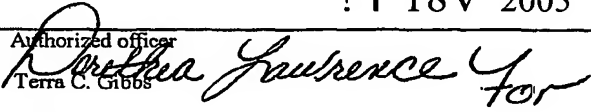


INTERNATIONAL SEARCH REPORT

International application No

PCT/US04/26344

A. CLASSIFICATION OF SUBJECT MATTER IPC(7) : C12Q 1/68; A01N 43/04; C07H 21/04; A61K 31/07 US CL : 435/6, 91.1, 325, 375; 514/44, 536/23.1, 24.33, 24.5 According to International Patent Classification (IPC) or to both national classification and IPC																				
B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) U.S. : 435/6, 91.1, 325, 375; 514/44; 536/23.1, 24.33, 24.5 Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) Please See Continuation Sheet																				
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<input checked="" type="checkbox"/> Further documents are listed in the continuation of Box C. <input type="checkbox"/> See patent family annex.																				
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Date of the actual completion of the international search		Date of mailing of the international																		
26 September 2005 (26.09.2005)		! 18V 2005																		
Name and mailing address of the ISA/US Mail Stop PCT, Atto: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 223 13-1450 Facsimile No. (703) 305-3230		Authorized officer  Terra C. Gibbs Telephone No. (571) 272-1600																		

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US04/26344

C. (Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	AOSHIBA et al. Role of p38-Mitogen-Activated Protein Kinase in spontaneous apoptosis of human neutrophils. <i>Journal of Immunology</i> . 1999, Vol. 162, pages 1692-1700, see page 1693, first column, phosphorothioate-modified antisense oligonucleotide.	32-60
Y	HAN et al. A Map Kinase targeted by endotoxin and hyperosmolarity in mammalian cells. <i>Science</i> . 1994, Vol. 265, pages 808-811, see Figure 1.	32-60
Y	AGRAWAL et al. Antisense therapeutics: is it as simple as complementary base recognition? <i>Molecular Medicine Today</i> . 2000, Vol. 6, pages 72-81, see first full paragraph.	32-60
Y	US 5,801,154 A (BARACCHINI et al) 01 September 1998(09.01.1998), see column 7, lines 6-22; column 8, line 12; column 6, lines 12-17; and column 4, lines 26-30.	32-60

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US04/26344

Box No. π Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely.
2. ☐ Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box No. HI Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:
Please See Continuation Sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying additional fees, this Authority did not invite payment of any additional fees.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.: 1-67, SEQ IDNO:128

Remark on Protest

☐

The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.

☐

The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.

☒

No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US04/26344

BOX π i. OBSERVATIONS WHERE UNITY OF INVENTION IS LACIONG

Groups 1-252, drawn to an antisense compound targeted to a nucleic acid molecule encoding p38 alpha MAP protein kinase, wherein said compound comprises at least an 8-nucleobase portion of SEQ ID NOs: 90, 128-164, 175-251, 257-259, 264, 265, 277-314, 316-339, 341, 343-390, 392, 393-412, and methods of using said antisense compound to inhibit expression of p38 alpha MAP protein kinase in cells or tissues.

The inventions listed as Groups 1-252 do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

Claims 1-67 are subject to an additional restriction since it is not considered to be a proper genus/Markush. If the members of the Markush group are sufficiently few in number or so closely related that a search and examination of the entire claim can be made without serious burden, the examiner must examine all the members of the Markush group in the claim on the merits, even though they are directed to independent and distinct inventions. In such a case, the examiner will not follow the procedure described below and will not require restriction. Broadly, unity of invention exists where compounds included within a Markush group (1) share a common utility, and (2) share a substantial structural feature disclosed as being essential to that utility.

Claims 1-67 specifically claims antisense SEQ ID NOs. 90, 128-164, 175-251, 257-259, 264, 265, 277-314, 316-339, 341, 343-390, 392, 393-412, which are targeted to and modulate the expression of p38 alpha MAP protein kinase. Although the antisense sequences claimed each target and modulate expression of p38 alpha MAP protein kinase, the instant antisense sequences are considered to be unrelated, since each antisense sequence claimed is structurally and functionally independent and distinct for the following reasons: each antisense sequence has a unique nucleotide sequence, each antisense sequence targets a different and specific region of p38 alpha MAP protein kinase nucleic acid, and each antisense, upon binding to a p38 alpha MAP protein kinase nucleic acid, functionally modulates (increases or decreases) the expression of the gene and to varying degree (per applicants' Table 1 in the specification). As such, the Markush/genus of antisense sequences in claims 1-39 is not considered to constitute a proper genus, and is therefore subject to restriction. Furthermore, a search of more than one (1) of the antisense sequences claimed in claims 1-39 presents an undue burden on the Patent and Trademark Office due to the complex nature of the search and corresponding examination of more than one (1) of the claimed antisense sequences. In view of the foregoing, one (1) antisense sequence is considered to be a reasonable number of sequences for examination. Accordingly, applicants are required to elect one (1) antisense sequence from claims 1-39. Note that this is not a species election.

Thus, in summary, each of Groups 1-252 is directed to different special technical features and thus supports this lack of unity.

Applicants will obtain a search of the first invention listed in the first group. For every other invention applicants wish to have searched, applicants need to elect the group and pay an additional fee. Additionally, applicants will obtain a search of the first sequence listed in the first invention. For every other sequence applicants wish to have searched, applicants need to elect the sequence and pay an additional fee.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US04/26344

Continuation of B. FIELDS SEARCHED Item 3:

WEST, STN, Medline, NPL

search terms: p38 alpha, CSaids binding protein, csbp, p38 map kinase alpha, p38 mitogen activated protein kinase, p38 MAPK, antisense, and ribozyme